

**COMMISSION DIRECTIVE**

ADMINISTRATIVE MATTERS	<input type="checkbox"/>	DATE	<u>April 11, 2007</u>
MOTOR CARRIER MATTERS	<input type="checkbox"/>	DOCKET NO.	<u>2005-13-WS</u>
UTILITIES MATTERS	<input checked="" type="checkbox"/>		<u></u>

**SUBJECT:**

DOCKET NO. 2005-13-WS – Application of Wyboo Plantation Utilities, Incorporated for Approval of a New Schedule of Rates and Charges for Water and Sewer Services – Discuss with the Commission the Petition for Rehearing and/or Reconsideration Filed by Wendy B. Cartledge, Esquire, on Behalf of the Office of Regulatory Staff along with the Petition for Reconsideration filed by John F. Beach, Esquire, on Behalf of the Applicant.

**COMMISSION ACTION:**

The Office of Regulatory Staff and Wyboo Plantation Utilities, Incorporated, have each moved that we reconsider and modify certain aspects of Commission Order No. 2007-138, issued on February 26, 2007, in which we denied Wyboo Plantation's application for relief. I move that we grant in part and deny in part each of these petitions.

First, with regard to the motion by the Office of Regulatory Staff, I move that we grant the first request of the ORS, retracting as requested the statement to the effect that the Office of Regulatory Staff withdrew the prefiled testimony of Ms. Christina Seale and did not plan to call Ms. Seale as a witness. I move that the Order be modified to reflect that Ms. Seale had withdrawn her original prefiled testimony and substituted testimony revised to exclude affiliate transactions, but that the Order not include any reference to whether ORS intended to call Ms. Seale as a witness.

Secondly, with regard to the Office of Regulatory Staff's request that the Commission require in its Order that Wyboo Plantation Utilities, Inc., file an application to continue serving customers in the Mill Creek Subdivision at the rates currently approved by the Commission, move that the motion be granted to the extent that Wyboo shall be required to file an application for authority to serve Mill Creek Subdivision within six months from receipt of the Commission's Order. In the interim, the Commission authorizes Wyboo Plantation Utilities, Inc., to serve the Mill Creek Subdivision at the rates approved in this proceeding.

Third, with regard to the Office of Regulatory Staff's request that the value of the performance bond required of Wyboo be increased, I move that we deny ORS's request at this time. While there was some testimony regarding the bond issue, a request to increase the bond was not raised in a pleading in this case, and the testimony before us in this docket does not

provide sufficient clarity to determine that an increase in required bond amounts is mandated. The testimony did show that WPU has failed to timely update the personal financial statement of Mr. Wrigley, and I move that the Commission order it to do so.

Finally, with regard to the motion for reconsideration submitted on behalf of Wyboo Plantation Utilities, Inc., I move that we grant reconsideration and modify the Order to the extent that Wyboo Plantation Utilities should be able to pass on to its customers a pump-out fee as requested in its application and supported by Mr. Morgan's testimony. I move that we conform the Order to adopt a tariff provision authorizing a pump-out fee of \$155, and that the affected customers be allowed 90 days from the date of the bill to pay the fee. However, I also move that we deny all other requests contained in Wyboo Plantation Utilities' motion to reconsider.

PRESIDING	<u>Hamilton</u>				Session:	Regular
	MOTION	YES	NO	OTHER	Time of Session	<u>4:00 P.M.</u>
CLYBURN	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		APPROVED	_____
FLEMING	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		APPROVED STC 30 DAYS	_____
HAMILTON	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		ACCEPTED FOR FILING	_____
HOWARD	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		DENIED	_____
MITCHELL	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		AMENDED	_____
MOSELEY	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Absent	TRANSFERRED	_____
WRIGHT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		SUSPENDED	_____
					CANCELED	_____
					SET FOR HEARING	_____
					ADVISED	_____
					CARRIED OVER	_____
					RECORDED BY	<u>T. DeSanty</u>

\*Vice-Chairman Moseley was on Annual Leave